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Attorneys for Respondents

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

JAVIER VILLALVAZO MUNDO,	)	No. C 08-2663 JL
	)	
Petitioner,	)	
	)	
v.	)	JOINT REQUEST TO BE EXEMPT FROM
	)	FORMAL ADR PROCESS
UNITED STATES DEPARTMENT OF	)	
HOMELAND SECURITY; et al.,	)	
	)	
Respondents.	)	

Each of the undersigned certifies that he or she has read either the handbook entitled “Dispute Resolution Procedures in the Northern District of California,” or the specified portions of the ADR Unit’s Internet site <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because this mandamus action is limited to Petitioner’s request that this Court review de novo his naturalization application. Respondents assert that venue is improper, and that the case should be dismissed. Given the substance of the action and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the ADR Multi-Option

1 Program and that they be excused from participating in the ADR phone conference and any further  
2 formal ADR process.

3 Dated: August 14, 2008

Respectfully submitted,

4 JOSEPH P. RUSSONIELLO  
5 United States Attorney

6 /s/  
7 MELANIE L. PROCTOR<sup>1</sup>  
8 Assistant United States Attorney  
9 Attorneys for Respondents

10 Dated: August 14, 2008

11 /s/  
12 ALEXANDER H. LUBARSKY  
13 Attorney for Petitioner

14 **PROPOSED ORDER**

15 Pursuant to stipulation, IT IS SO ORDERED.

16 Dated: August 18, 2008

17   
18 JAMES LARSEN  
19 United States Magistrate Judge

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28 <sup>1</sup>I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any  
signatures indicated by a “conformed” signature (/S/) within this efiled document.